


PATENT

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September 22, 2008

Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/531,371
Filed: August 17, 2005
Examiner: Restifo, Jeffrey J.
Confirmation No.: 6509
Art Unit: 3618
Applicant[s]: Grundl, et al.
Title: Hybrid Driving System For A Motor Vehicle
Atty. Doc.: WUE-37-116

Cincinnati, Ohio 45202

September 22, 2008

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE AND AMENDMENT

This paper responds to an Office Action dated August 22, 2008. More particularly, this paper responds to an Election/Restriction Requirement made in the prior Office Action.

The Office Action asserts that presently-pending claims 18-35 do not form a single inventive concept, but rather can be characterized as follows:

Group I: Species a in figure 1; Species b in figure 2;
Group II: Species A in figure 3; species B in figure 4.

The Office Action further asserts that:

Claims 32 and 35 correspond to species A;
Claims 22 and 33 correspond to species B;
Claim 23 corresponds to species a; and
Claim 24 corresponds to species b.

The Office Action states that claims 18-21, 25-32, and 34 are generic.

In response to this Office Action, applicants respectfully elect Species A from Group II. Dependent claims 32 and 35 correspond to Species A, and depend from generic independent claims 18 and 34, respectively. Species A corresponds to Figure 3.

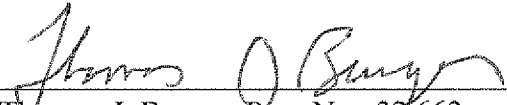
Applicants respectfully assert that dependent claim 23, which depends from independent claim 18 and recites a serial hybrid drive train, as shown in Figure 1, and dependent claim 24, which depends on independent claim 18 and recites a parallel hybrid drive train, as shown in Figure 2, are equally usable within the context of species A, as shown in Figure 3. Nonetheless, to the extent the Office Action also requires applicants to further specify either the parallel hybrid drive train or the serial hybrid drive train with respect to species A, then applicants further elect the parallel hybrid drive train shown in Figure 1, and recited in claim 24.

In summary, applicants elect species A in Group II. To the extent necessary, applicants also elect species a in Group I, although applicants respectfully assert that species a and species b are equally applicable to species A as shown in Figure 3. Applicants respectfully withdraw claims 22, 31, and 33, readable on species B, and to the extent necessary, also claim 23 directed to species b of Group I.

Applicants respectfully request an early and favorable examination on the merits as to the remaining claims.

It is believed that no fee is due for this filing. If any fee is deemed due, consider this as an authorization to charge Deposit Account 23-3000 therefore.

Respectfully submitted,
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